



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope as "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R.1.10, Mailing Label No. EL744397032US and is addressed to the: Assistant Commissioner for Patents, Washington, D. C. 20231.

Date: December 23, 2002

W. Liddell
Willburn Liddell, Jr.

12-26-02
#291588 AF
112/03 1600
RECEIVED
DEC 31 2002
TECH CENTER 1600/2900

RECEIVED
DEC 2002
00/2900

PATENT
216019-93(98,429)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Applicants: HASEL, et al.

Serial No.: 09/186,869

Filed: November 4, 1998

Title: Method for Indexing And Determining
The Relative Concentration Of Expressed
Messenger RNAs

Art Unit: 1637

Examiner: Jeffrey Norman Fredman

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Appeals from the Decision of the Primary Examiner mailed September 24, 2002, finally rejecting Claims 1-36 and 42-72.

The item(s) checked below are appropriate:

1. ☐ A petition and fee for extension of term for reply to the final rejection is attached.

12/27/2002 SFELEKE1 00000160 09186869

01 FC:2401

160.00 DP

Serial No. 09/186,869
December 23, 2002
Page 2

2. X Appeal fee

 ___ other than a small entity

 X small entity

3. Payment

 X Check attached for the sum of \$160.00.

 ___ Please charge Deposit Account No. 50-0639 the sum of \$___.

A duplicate copy of this notice is attached.

The Commissioner of Patents is authorized to charge any amount due, or credit any overpayment, to Deposit Account No. 50-0639. A duplicate copy of this paper is enclosed.

Respectfully submitted,



Brian M. Berliner
Attorney for Applicants
Registration No. 34,549

Date: December 23, 2002

O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071-2899
Telephone: (213) 430-6000